

Amendment and Response Under 37 C.F.R. §1.116 - Expedited Examining Procedure

Page 9 of 10

Serial No.: 10/038,984

Confirmation No.: 9705

Filed: January 4, 2002

For: COMPOSITION AND METHOD FOR IN VIVO AND IN VITRO ATTENUATION OF GENE
EXPRESSION USING DOUBLE STRANDED RNA**Remarks**

The Advisory Action mailed October 10, 2005, has been received and reviewed. Claims 1, 6, 21, 22, 27, 28, 31, 32, 48, 63, and 74 have been amended, and claims 20, 23, and 24 have been canceled. Therefore, the currently pending claims are claims 1-7, 15-19, 21-22, 27-32, 39, 48, 62, 63, 72-76, and 78-80. Reconsideration and withdrawal of the rejections is respectfully requested. Applicants reserve the right to pursue the canceled subject matter in a continuing application.

The undersigned appreciates the courtesies extended during the telephone conversation of October 13, 2005, where the status of the claims was discussed. It is our understanding that the claim amendments included with the Amendment and Response filed on September 14, 2005, in response to the Final Office Action were entered.

The 35 U.S.C. §112, First Paragraph, Rejection

The Examiner has maintained the rejection of claims 1-7, 15-20, 22-24, 27-32, 39, 48, 62, 63, 72-74 and 78-80 under 35 U.S.C. §112, first paragraph. This rejection is respectfully traversed. In the interests of furthering prosecution, independent claims 1, 21, 48, and 63 have been amended to recite "embryonic." Dependent claims 6, 22, 27, 28, 31, 32, and 74 have been amended to reflect the changes in the independent claims.

Reconsideration and withdrawal of the present rejection is respectfully requested.

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EXPRESSION USING DOUBLE STRANDED RNA**Summary**

It is respectfully submitted that the claims under examination are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for
LI et al.

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October 14, 2005
Date

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VAS/SJT

CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 14 day of OCT, 2005, at 12:46pm (Central Time).

By: Sandy Truehart
Name: Sandy Truehart